

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52447 of 2018

Arising Out of PS.Case No. -182 Year- 2018 Thana -MANER District- PATNA

=====

Baban Ray, S/o. Late Dukhan Ray, R/o. Mohalla- Hulasi Tola, P.S.-
Manner, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rudra Deo

For the Opposite Party/s : Mr. Surendra Prasad Singh

=====

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 25-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

115 litres of country made liquor is said to have
been recovered from the boaring of Deo Prasad Ray and petitioner
along with four other accused persons were apprehended from the
said place.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner. He has no concern
either with the seized liquor or with the place of recovery or any
trade of liquor. He has been falsely implicated in this case by the



police merely on suspicion while he was passing through the place of occurrence at the time of occurrence. He has no criminal antecedent. He has been languishing in custody since 23.04.2018. Similarly situated co-accused, namely, Kunal Kumar, Ritesh Kumar, Mukesh Kumar and Jai Ram Mahto have been enlarged on bail by a co-ordinate bench of this court vide order dated 06.07.2018 passed in Cr. Misc. No. 36941 of 2018.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna in connection with Special Case No. 3848 of 2018 arising out of Manner P.S. Case No. 182 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

U		T	
---	--	---	--

